

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 20-10306-GAO

UNITED STATES OF AMERICA,

v.

PETER BRAND and JIE “JACK” ZHAO,
Defendants.

PROCEDURAL ORDER

July 11, 2022

O'TOOLE, D.J.

1. The trial in this matter is scheduled to begin on December 5, 2022, at 9:00 AM. The final pretrial conference is scheduled for November 22, 2022, at 10:00 AM.
2. Prior to the final pretrial conference, each party shall contact the Courtroom Deputy Clerk to coordinate any necessary technological training and arrangements in preparation for trial.
3. At least 60 days before the final pretrial conference:
 - a. The defendants shall provide reciprocal discovery to the government; and
 - b. The government shall provide expert disclosures to the defendants.
4. At least 45 days before the final pretrial conference:
 - a. The government shall give the defendants notice of any evidence it intends to offer at trial under Fed. R. Evid. 404(b);
 - b. The government shall provide all “21 Day” material, Jencks material, exhibit lists, and witness lists to the defendants; and
 - c. The defendants shall provide expert disclosures to the government.

5. At least 35 days before the final pretrial conference:
 - a. The defendants shall provide all exhibit and witness lists to the government;
and
 - b. The parties shall provide rebuttals to expert disclosures.
6. At least 28 days before the final pretrial conference, the parties shall jointly file the following documents:
 - a. A joint pretrial memorandum setting forth the following information:
 - i. A proposed brief statement of the case to be used for jury selection;
 - ii. Any issues raised by pending motions;
 - iii. Any issues of law, including evidentiary questions, together with supporting authority;
 - iv. The probable length of trial based on a trial schedule of 9:00 AM to 1:00 PM daily; and
 - v. A combined list of the names and cities of witnesses who will testify at trial and the purpose of the testimony, i.e., whether factual, expert, etc.;
 - b. A joint list of exhibits to be introduced without objection; and
 - c. A joint list of proposed exhibits to be offered at trial as to which an opposing party has reserved the right to object.
7. At least 28 days before the final pretrial conference, the parties shall individually file any motions in limine or other requests regarding foreseeable disputes concerning evidentiary issues.
8. At least 14 days before the final pretrial conference, the parties shall individually file the following documents:

- a. Any oppositions or responses to motions in limine;
 - b. Trial briefs if appropriate;
 - c. Proposed voir dire questions;
 - d. Proposed jury instructions with citation to supporting authority; and
 - e. Proposed verdict forms.
9. At least 7 days before trial, the parties shall submit all proposed exhibits on a DVD-R or CD per the attached instructions to the attention of the Courtroom Deputy Clerk for the purpose of the Jury Evidence Recording System (“JERS”).

It is SO ORDERED.

/s/ George A. O’Toole, Jr.
United States District Judge